



1/19 DPC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	William E. Sobel	Examiner:	Marilyn P. Nguyen
Application No.:	10/642,355	Art Unit:	2163
Filed:	August 14, 2003	Docket No.:	SYMAP024
Title:	SAFELY ROLLING BACK A COMPUTER IMAGE		

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in a prepaid envelope addressed to: Office of Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

4/9 2009. 
Elaine Nguyen

**RENEWED PETITION UNDER 37 CFR 1.137(a) FOR
REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY**

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. This renewed petition is submitted in response to Decision on Petition mailed March 6, 2009 dismissing the original petition.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

1. Petition Fee

- Small Entity
 Large Entity
 Payment enclosed in original petition in the amount of \$2050.00 (\$540.00 to cover the petition fee; \$1510.00 to cover the issue fee).
 Charge any additional fees or credit any overpayment to Deposit Account No. 50-0685, (Order No. SYMAP024).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of a Response to Restriction Requirement.

- has been filed.
 is enclosed herewith.

B. The issue fee of \$1510.00.

- has been paid previously: enclosed with original petition.
 is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20 (d)) of \$_____) disclaiming the required period of time is enclosed herewith.

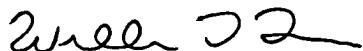
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable. As the USPTO records reflect, the Notice of Allowance appears to have been mailed June 17, 2008, and was addressed to our firm's correct mailing address. Our firm's procedure is to log each piece of incoming mail from the USPTO, which then is delivered to our docketing person. We have examined our incoming mail log sheet from the mailing date of the Notice of Allowance, June 17, 2008 to July 1, 2008, and do not have a log entry for this document. In addition, our docket does not reflect receipt of the Notice of Allowance. Therefore, it is believed that the applicant never received the Notice of Allowance.

5. FURTHER STATEMENT IN RESPONSE TO DECISION ON PETITION: Applicants' undersigned representative does not maintain any historical record of a "master docket" for the relevant period. We maintain a computer-based docket system but that system does not support generating a "master docket" for a period in the past, since reminders for tasks that are completed are de-docketed and no longer reflected in reports once they have been removed due to completion. Enclosed herewith is a true and correct copy of our incoming mail log for the period June 16, 2008 to July 1, 2008. Every item of mail from the USPTO is logged by our firm based on the receipt date and attorney docket number. One can see from the enclosed copy that no "Notice of Allowance" for our docket

number "SYMAP024" was logged as having been received by our office in the two week period following the mailing date of the notice of allowance at issue here. In addition, as noted above, we previously checked the application-specific docket records for the above-captioned application, which would reflect any reminder to pay the issue fee or that such a fee had been paid, and those records include no such indication for the above-captioned case. A copy of the first page of the application-specific record, which reflects any pending action items, is enclosed. That page shows only a reminder to respond to the Decision on Petition mailed March 6, 2009. The second enclosed screen from our docket application shows that no information has been entered in the Allowance/Issue Fee fields of the record. If the Notice of Allowance had been received, the mailing date would have been entered in the "Allowed" field. Therefore, based on all of the above and the enclosed records we conclude the Notice of Allowance was not received by our office. As such, it is believed the requirements of a grantable petition under 37 CFR 1.137(a) have been established.

- Enclosures:
- Fee Payment
 - Reply
 - Terminal Disclaimer Form
 - Copy of mail log June 16, 2008 to July 1, 2008.
 - Copy of docket record for above-captioned application.

Respectfully submitted,



William J. James
Reg. No. 40,661
(408) 973-2592

VAN PELT, YI & JAMES LLP
10050 N. Foothill Blvd., Suite 200
Cupertino, CA 95014



U.S. Patent Case (Record Locked to allow your updates)

Record Other Screens Save Contact Forms Help

Case Management

Partner: [] Assoc: WJJ Secty EN EFS Filed

Docket No SYMAP024 Client: SYMA List

App Serial No: 10/642,355 Filing Date: 8/14/2003 Status: Abandoned

Title: SAFELY ROLLING BACK A COMPUTER IMAGE

Date Abn: [] Patent No: [] Patent Expiration Date: []

Cli Doc 200303121236 Exp Date Adjusted

Application Type

Provisional Design
 Utility Plant
 PCT 371 ReExam
 Reissue

Reminder List for this Case

Item	Who	Due Date
Respond to Dismissed Petition - USA	WJJ	5/6/2009

There is 1 Reminder Item for this Case

Priority Case: [] Priority Date: [] 3/16/2009 JCG

Accelerated Examination Accelerated Examination Denied

U.S. Patent Case More Data (Record Locked to allow your updates)

Docket No **SYMAPD24**

Missing Parts

Mailed:
Due: **1/12/2004**
Sent: **12/19/2003**

Received PostCard

Formal Drawings

Due:
Sent:

Received PostCard

Filing Receipt

Due: **11/14/2003**
Rcv: **11/17/2003**

Received PostCard

Allowance/Issue Fee

Allowed
Fee Due
Paid

Received PostCard

Foreign Filing

Due Date: **8/14/2004**
Date Filed:

CRS
 No Filing Planned

Foreign Filing Lic. Granted:

File Regular App from Provisional

Due Date:
Date Filed:

CRS

Maintenance Fees

	Date Due	Date Paid	C	P	R
			R	C	C
			S	D	T
3.5 Yr	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.5 Yr	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.5 Yr	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Inventors

List

01	SOBEL
02	
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Issued Patent

Due:
Rcv:

Other Adjustments to the Patent Term

PTO Delay Applicant Delay

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▲ ▾

Name:

Start Date

End Date

Change Small Entity Status to Large Entity
for this case only

Reviewed PTA of Allowed Application

Reviewed PTA of Issued Patent

Next Office Action Expected:

Mail Log Sheet

Date Received	Docket No.	Description
6/16/2008	DDIMP017	Office Action
	NAVIP005	Office Action
	EMCPO04	Corrected Filing Receipt
	PIGZIUS1	Filing Receipt
	SIRCP007	Filing Receipt + Missing Parts
	DUSTP042	Notice of Incomplete Filing
	NAVMAP011	Notice of Reconsideration
	NAVMAPO12	Notice of Reconsideration
	ALCAP001X	Foreign Communication
	ALCAPO11	Tissue Notification
	ALCAP001CN	Domestic Communication
	ARIBP030	Soft Copies
	INFOPO01D	Soft Copies
	CANZP002	Soft Copies
	LEGIP002	Notice of Acceptance of POK
	ULTP001	Filing Receipt
	PIGZIUS1	Notice of Reconsideration
	OPTIP005	Filing Receipt + Missing Parts
	LEGAP0001	Notice of Acceptance of POA
	LEGAP0001L	Notice Re: Change of POK
	CRP-504-001S	Office Action
	RECOV002U	Office Action
	RA10051	Office Action
	RNSIPO007EP	Foreign Communication
6/16/2008	AIELP077	Notice of Recondition
	ARIBP004JP	Foreign Communication
	LEGAP0012	Notice of Acceptance of POK
	LEGAP0011	Notice of Acceptance of POA
	LEGAP007	Notice Re: Change of POK

Mail Log Sheet

Date Received	Docket No.	Description
4/14/2005	LEGAP007 CO ALPAP003	Notice of Acceptance of POA Issue Verification
	TRANPO047	Filing Receipt of Acceptance of POA
	LEGAP007 ALPAP031	Filing Receipt of Acceptance of POA
	FILEC P014	Notice Re: Change of POA
	LEGAP003	Notice Re: Change of POA
	ARIBP017 CL	Issue Verification
	MAKA P009	Filing Receipt of Missing Bills
	LEGAP007 CL	Notice Re: Change of POA
	LEGAP019	Notice of Acceptance of POA
	LEGAP009	Notice Re: Change of POA
	LEGAP004	Notice of Acceptance of POA
	TRANPO03 + LEGAP007 JP	Filing Receipt of Acceptance of POA
	VECTP001	Arranged Communication
	PLA4WJ	Notice of Recordination
	VECTP002	Notice of Recordination
	LEGAP057 JP	Notice of Recordination
	LEGAP008 JP	Foreign Communication
	LEGAP007 JP	Foreign Communication
	LEGAP032 JP	Foreign Communication
	OPTIP007 CL	Issue Quotification
	POTEP012	Notice of Recordination
	LEGAP012	Notice of Acceptance of POA
	LEGAP004	Notice Re: Change of POA
	LEGAP004	Notice Re: Change of POA
	LEGAP001	Notice Re: Change of POA
	LEGAP049	Notice of Acceptance of POA

Mail Log Sheet

Date Received	Docket No.	Description
6/16/2004	LEGAP049 LEGAP034	Notice Re: Change of POA Notice of Acceptance of POA
	LEGAP031	Notice of Acceptance of POA
	LEGAP071	Notice Re: Change of POA
	LEGAP027	Notice of Acceptance of POA
	LEGAP037	Notice of Acceptance of POA
	ELECPO1C1	Notice Re: Change of POA
	ELECPO14C1	Notice Re: Change of POA
	FILECP01SC1	Notice Re: Change of POA
	LEGAP025	Notice of Acceptance of POA
	LEGAP025	Notice Re: Change of POA
	LEGAP025	Notice of Acceptance of POA
	LEGAP019	Notice of Non-Compliance and
	LEGAP032	Notice Re: Change of POA
	LEGAP032	Notice of Acceptance of POA
	LEGAP045	Notice Re: Change of POA
	LEGAP045	Notice of Acceptance of POA
	LEGAP046	Notice Re: Change of POA
	LEGAP046	Notice of Acceptance of POA
	LEGAP038	Notice of Acceptance of POA
	VECTF001	Notice Re: Change of POA
	LEGAP037	Filing Receipt
	ELECPO1C2	Notice Re: Change of POA
	DISSTP018	Updated Filing Receipt
	ALPHPO01	Notice of Abandonment
	ELECPO13C2	Notice Re: Change of POA
	MIAKAP004	Filing Receipt + Missing Parts

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Date Received	Docket No.	Description
6/16/2008	LEGAP031	Notice of Acceptance of POA
	LEGAP032	Office Re: Change of POA
	LEGAP025	Notice Re: Change of POA
	DUSTPO04+	Filing Receipt
	AIELPO08	Updated Filing Receipt
	SYMAP004 DE	Notice Communication
	INTLPI0000009000	Notice of Patent Expiration
	P2121USC03	Maintenance Fee Statement
	ALCATP011	Decision Creating Relation
	ALCATP0005	Foreign Communication
	RPSIPO04HEP	Foreign Invoice
	LEGAP057EP	Foreign Invoice
	LEGAP009S	Notice of Acc. of POA
	LEGAP005	Notice Reg. Change of POA
	LEGAP0644	Notice of Acc. of POA
	LEGAP070	Notice Reg. Change of POA
	LEGAP070	Notice of Acc. of POA
	LEGAP044	Notice Reg. Change of POA
	TRANFO02+	Filing Receipt
	LEGAP039	Notice of Acc. of POA
	LEGAP039	Notice of Reg. POA
	HAMMPO0	Notice of Rec.
	LEGAP0622	Exam. Answer.
	DUSTPO01	Office Action
	SYMAP040	Office Action
	P2121USC03	Office Action
	AIELPO02	Office Action
	ATHEP124	Office Action
	LEGAP002	Office Action

Mail Log Sheet

Date Received	Docket No.	Description
6/19/2008	AIE1P013	Office Action
	SYMAP042	Office Action
	SYMAP084 JP	Foreign Comm.
	OIG P001	Office Action
	HAMMP01PCT	PCT Comm.
	SECSP002PCT	PCT Comm.
	ADOBIB183	Office Action
	SPEEP001	Office Action
	LINKP014	Office Action
	SYMAP051	Office Action
	LEGAPO24	Not. Reg. Change of POA
	LEGAPO42	Notice Reg. Change of POA
	LEGAPO42	Notice of Acc of POA
	INT1P012	Maintenance Fee Statement
	LEGAPO26	Notice of Acc. of POA
	LEGIAPO40	Notice of Acc. of POA
	LEGIAPO40	Notice Reg. Change of POA
	LEGIAPO05	Notice of Acc. of POA
	LEGAPO05	Notice Reg. Change of POA
	LEGIAPO07	Notice Reg. Change of POA
	LEGIAPO67	Notice of Acc. of POA
	RINEPOOL+	Notice of Recordation.
	LEGIAPO53	Notice of Acc. of POA
	LEGIAPO48	Notice Reg. Change of POA
	LEGIAPO48	Notice of Acc. of POA
	LEGIAPO53	Notice Reg. Change of POA.
	ALCAP005	Office Action
	ELECPOWCS	Isched Patent
	RCOPD14	Maintenance Fee Statement
6/20/2008		→

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Date Received	Docket No.	Description
6/20/2008	INT1P927C1 VE CTP002	Maintenance Fee Statement Filing Receipt
	LEGAP030	Notice of Acceptance of POA
	LEGAP050	Notice of Accept. of PDA
	LEGAP050	Notice Reg. Change of POA
	COSMP010	Notice to file Missing Parts / Filmg Receipt
	COSMP019	Notice to file Missing Parts / Filmg Receipt
	COSMP021	Notice to file Missing Parts / Filmg Receipt
	COSMP020	Notice to file Missing Parts / Filmg Receipt
	OPTV P203	Maintenance Fee Remindee.
6/23/2008	AIELP050PCT	PCT Comm.
	23MEPOL1T	Filing Receipt
	AIELP051KP	Foreign Comm.
	ALCAP03MT	Foreign Comm.
	P3124USCI	Filing Receipt
	SYMAP029C1	Notice of Pub. of App.
	SYMAP012	UPDATED Filing Receipt.
	DECOPONC2	Notice of Pub of App.
	AZTRB038C1	Notice of Pub of App.
	AR18P040C1	Notice of Pub. of App.
	AR19P018C2	Notice of Pub. of App.
	AR1BP025C2	Notice of Pub. of App.
	LEGAP073	Interview Summ.
	OPTIP008C1	Issue Noti.
	AZULP008	Notice of Action.
	BOWRPO27W	Foreign Comm.
	HammP012	Office Action
	AGNUP001	Office Action.
	AIELP074PCT	PCT comm.

Mail Log Sheet

Date Received	Docket No.	Description
10/23/2008	LEGAP046	Office Action.
	EMECPH7PCT	PCT comm.
	2LCHP0013P	Foreign comm.
	RADIPOBPC	PCT comm.
	RADIPONPCT	PCT comm.
	EMECPD0PCT	PCT comm.
	RADIPODPC	PCT comm.
	BADDEPOLEPCT	PCT comm.
	GRECPD07PCT	PCT comm.
	COSMPD02	Filing Receipt / missing parent.
	AIEELP01Z	Notice of Allowance
	LEGAP040	Office Action.
	OPENPOOL	Office Action
	INFOPOOL	Office Action
	LEGAP001	Notice Reg. Change of POA
	LEGAP001	Notice of Acc. of POA
	LEGAP0073	Notice Reg. Change of POA
	LEGAP073	Notice of Acc. of POA
	LEGAP059	Notice Reg. change of POA
	ELECPO08	Notice Reg. Change of POA
	LEGAP0073S	Notice Reg. Change of POA.
	LEGAP022	Notice of Rec. of POA
	LEGAP055	Notice of Acc. of POA
	LEGAP029	Notice Reg. Change of POA
	LEGAP029	Notice of Acc. of POA
	LEGAP0073	Notice of Acc. of POA
	LEGAP041	Notice of Acc. of POA
	EMECP075	Notice of Acc. of POA

Mail Log Sheet

Date Received	Docket No.	Description
01/23/2008	ADO BB 551 DDomP002C2	Notice of publication of APP.
	ELEC P013C1	Notice of Pub. of APP.
	EMOC P075	Notice Reg. Change of POA
	ELEC P002	Notice Reg. Change of POA
	ELEC P005	Notice Reg. Change of POA
	PZ379USC2	Office Action
	EMOC P172C1	Petition decision.
	AICAP023C1	Office Action
4/24/2008	OPTI P015 PCT AICAP005C1	MISSING FEE(S) / Filing Receipt PCT Comm.
	US528006044888	Foreign Comm. PCT Comm.
	US200701944	PCT Comm.
	US2001047724	PCT Comm.
	US2001047771	PCT Comm.
	US2001046886	PCT Comm.
10/24/2008	Grec P002 PCT	PCT Comm.
	ELEC P010C2	Notice Reg. Change of POA
	LEGAP054	Notice of Acc. of POA
	LEGAP003C1	Notice of Acc. of POA
	LEGAP054	Notice Reg. Change of POA
	EHAR P005	MISSING FEE(S) & Filing Receipt
	LEGAP056	Notice of Acc. of POA
	LEGAP054	Notice Reg. Change of POA
	MVNIAPO1M	Filing Receipt
	LEGAP054	Notice Reg. Change of POA
	LEGAP054	Notice of Acc. of POA
	Green 007	Filing Receipt & Missing Receipt

Mail Log Sheet

Date Received	Docket No.	Description
1/26/2008	POTE4011	Filing Receipt
	LEGAP0039	Intercase Summary
	FDDN4007	Notice of Pub. of App.
	ELEC4013	Notice Reg. Change of PDA
	FRDW4005	Notice of Pub. of App.
	ARIBP01702	Notice of Pub. of App.
	AEIBP0101	Notice of Pub. of App.
	ELECP011	Notice Reg. Change of PDA
	AIPH4013PCT	PCT Comm.
	OPTIP012PCT	PCT Comm.
	OPTIP013PCT	FRT Comm.
	LEGAP005EP	Foreign Comm.
	LEGAP005SEP	Foreign Comm.
	EMC40088	Office Action.
	RADIP033PCT	FRT Comm.
	LEGAP0128	Office Action.
	GP - 433-004US	Office Action.
	AZULP038	Notice of Recordation.
	AZULP057	Notice of Recordation.
	INT40927C1	Notice of Recordation.
4/27/2008	EMC4015	Office Action
	RECORD40701	Notice of Assistance & Fee Due
	LEGAP009	Notice of Acc. of PDA
	PONTE4012	Filing Receipt
	GC6500Y	Missing Parts / Filing Receipt
	OPTIP021	Filing Receipt
	LEGAP010	Notice Reg. Change of PDA
	LEGAP010	Notice of Acc. of PDA
	Wack4008	Corrected Filing Receipt.

Mail Log Sheet

Date Received	Docket No.	Description
02/27/2008	NAVAP0062 TYZXP001JP	Comm. Reg. Res. & Non Reg. Foreign Filing. Foreign Comm.
	LEGAP035JP	Foreign Comm.
	LEGAP032JP	Foreign Comm.
	LEGAP009JP	Foreign Comm.
7/01/08	AJELP029 LEGAP008EP AZN1P014 APB8P058	Notice of Recordation. Foreign Comm. Issue Notification. Issue Notification.
	AZU1P022 AJELP027 AHYD00PCT	Issue Notification. Updated Filing Receipt PCT Comm.
	HAMMP015PCT EMCCP129 FAKAP0024 AGBRY001	PCT Comm. Interview Summary. Filing Receipt Office Action.
	LEGAP010PCT CFS1P014 EMCCP102	PCT Comm. Office Action. Office Action.
	LINKP004 JASPP002 COSIMP01	Office Action. Office Action. Office Action.
	PORTEP001PCT ADOBBS112 ADOBBS114 DISTP002C1	PCT Comm. Office Action. Office Action. Office Action.
	LINKP001	Office Action.